



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Ted Burns

LOCATION OF PROPOSAL: 4637 Lake Washington Blvd SE

DESCRIPTION OF PROPOSAL: Proposal to construct a 546 square-foot residential pier, install a new residential boat lift, and installation of associated mitigation planting.

FILE NUMBERS: 17-108514-LO & 17-108515-WG **PLANNER:** David Wong

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- ☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- ☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **12/1/2017**
- ☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.


Environmental Coordinator
Carol V. Helland

11/16/2017
Date

OTHERS TO RECEIVE THIS DOCUMENT:

- ☒ State Department of Fish and Wildlife / Stewart.Reinbold@dfw.gov; Christa.Heller@dfw.wa.gov;
- ☒ State Department of Ecology, Shoreline Planner N.W. Region / Jobu461@ecy.wa.gov; sepaunit@ecy.wa.gov
- ☒ Army Corps of Engineers Susan.M.Powell@nws02.usace.army.mil
- ☒ Attorney General ecyolvef@atg.wa.gov
- ☒ Muckleshoot Indian Tribe Karen.Walter@muckleshoot.nsn.us; Fisheries.fileroom@muckleshoot.nsn.us



**City of Bellevue
Development Services Department
Land Use Staff Report**

Proposal Name: Melgard Pier

Proposal Address: 4637 Lake Washington Blvd SE

Proposal Description: Shoreline Substantial Development Permit and Critical Areas Land Use Permit proposal to construct a new, 546 square-foot residential pier and install a new residential boat lift. Due to water depths, the applicant is requesting to exceed the prescriptive overwater coverage allowance of 480 square feet.

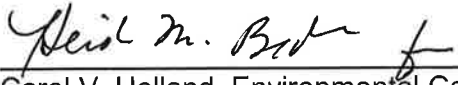
File Number: 17-108514-LO & 17-108515-WG

Applicant: Ted Burns, Seaborn Pile Driving Co.

Decisions Included: Shoreline Substantial Development Permit
(Process II. LUC 20.30R)
Critical Areas Land Use Permit
(Process II. LUC 20.25P)

Planner: David Wong, Planner

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-Significance**


Carol V. Helland, Environmental Coordinator
Development Services Department

Director's Decision: **Approval with Conditions**
Michael Brennan, Director
Development Services Department

By: 
Liz Stead, Land Use Director

Date of Application:	March 16, 2017
Notice of Application:	May 15, 2017
Decision Publication Date:	November 16, 2017
<u>Deadline for Appeal of Process II Administrative Decisions:</u>	
SEPA Determination:	December 1, 2017
Shoreline Substantial Development Permit:	December 8, 2017 (21 days following publication of a notice of decision)

For information on how to appeal a project proposal, visit the Permit Center at City Hall or call 425-452-6800. Appeal of any Process II Administrative decision must be made by 5 p.m. on the date noted for appeal of the decision. Appeal of the SEPA Threshold Determination must be made to the City of Bellevue City Clerk's Office. Appeal of the Shoreline Substantial Development Permit must be made to the Washington State Shoreline Hearings Board (contact the project planner for more information on how to file an appeal with the Shoreline Hearings Board).

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Attachments:

- A. Site Plans
- B. Environmental Checklist (in file)
- C. Critical Areas Report (in file)

I. Proposal Description

Applicant requests approval to remove an existing dilapidated residential pier with a new, 546 square-foot residential pier and boatlift. The new pier will be located south of the existing structure to meet the minimum 12-foot setback requirements for moorage. Due to the grade of the lake bed at this location, the applicant requires additional length to reach safe moorage depths, which will result in a pier that exceeds the prescriptive overwater coverage allowance of 480 square feet. See Figure 1 for information on the proposed dock location. See figure 2 for dock elevation and lake bed depth.

Figure 1

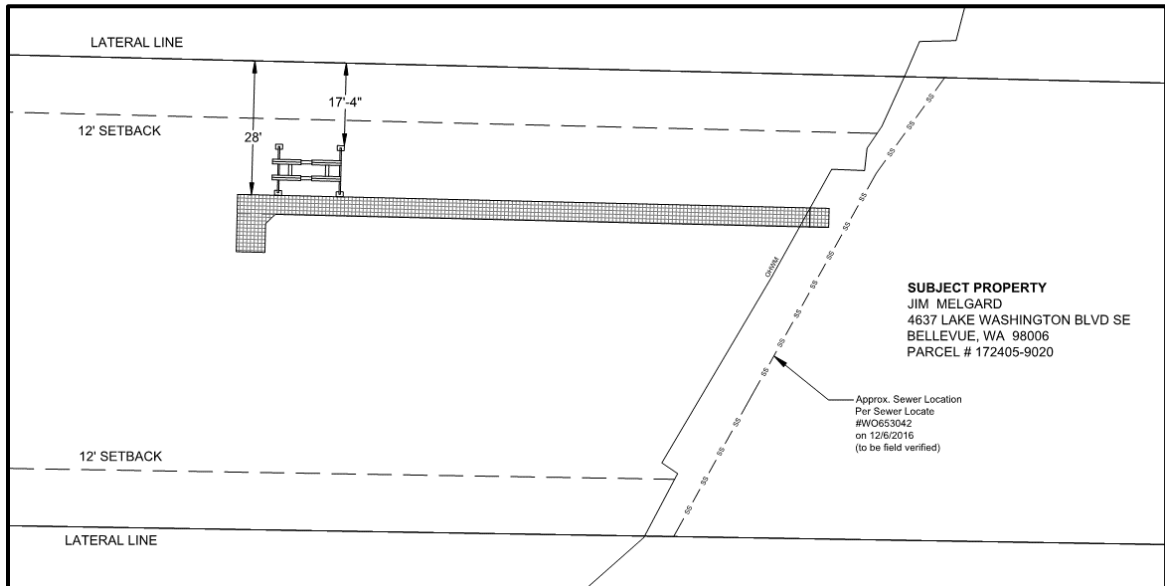
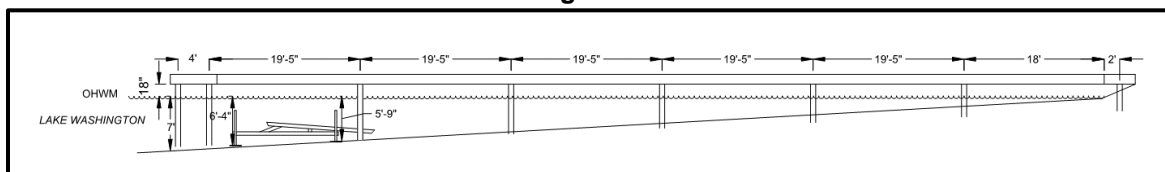


Figure 2



The proposed project is subject to the Shoreline Substantial Development Permit and SEPA requirements because the proposed work is within a shoreline of statewide significance, Lake Washington. The total cost of the proposed work exceeds the threshold allowance of \$2,500 granted in LUC 20.25E.050.H. The provisions of the Shoreline and Critical Areas Overlay Districts apply.

The proposed project is also subject to the Critical Areas Ordinance of the Land Use Code (LUC) because proposal seeks to modify certain standards of the Shoreline Master Program (SMP) through the use of a Critical Areas Report (CAR). The modifications covered under this request are as follows:

- Overwater coverage from 480 square feet to 546 square feet
- Moorage pile location within 18 feet of the ordinary high water mark (OHWM)
- Moorage pile size of 8 inches within 18 feet of the OHWM
- Ell depth of approximately 6'-9"

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description and Land Use Context

The subject site is located in the Factoria subarea. Properties in the vicinity are generally developed with single-family residences and residential piers. The exception to single-family residential development is the Bellevue City Park of Newcastle Beach Park located to the north of site. The neighborhood is characterized by mature trees and well maintained higher end properties. The adjacent properties to the north and south are developed with a residential pier. Vegetation on site adjacent to the shoreline is mostly non-native grasses with the exception of three mature birch (*Betula spp.*) trees within the shoreline buffer and structure setback.

B. Zoning

The property is zoned R-2.5 and is located within the Shoreline Overlay District per LUC 20.25E. Properties in the vicinity are also within the R-2.5 zoning district which is a single-family low-density residential zone that permits up to 2.5 dwelling units per acre.

C. Critical Area Functions

i. Shorelines

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

ii. Habitat Associated with Species of Local Importance

The increase in human settlement density and associated intensification of land use known as urbanization has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005, Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves

for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

Properties within the Shoreline and Critical Area Overlays are part of the city's shoreline master program and are classified as environmentally sensitive. The master program recognizes the site as a shoreline residential environment subject to the provisions of the City's Shoreline Master Program as discussed below.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-2.5 zoning district. There are no general dimensional requirements applicable to the subject proposal.

B. Shoreline Master Program Requirements – LUC 20.25E:

i. General Regulations Applicable to All Land Use Districts and Activities LUC 20.25E.080.B

- a. Where applicable, all federal and state water quality and effluent standards shall be met.**

The project will be constructed and operated consistent with applicable federal state and local regulations regarding water quality and effluent standards.

- b. If a property extends into the Shoreline Overlay District, the Shoreline Master Program Policies and these use regulations shall apply only to that portion of the property lying within the Shoreline Overlay District.**

The entire project is within Lake Washington and therefore, is entirely within the Shoreline Overlay District.

- c. All development within the Shoreline Overlay District shall be accompanied by a plan indicating methods of preserving shoreline vegetation and for control of erosion during and following construction in accordance with Part 20.25H LUC, City of Bellevue Clearing and Grading regulations, Chapter 23.76 BCC, and the Comprehensive Plan.**

As part of the Building Permit approval, the applicant will be required to prepare a Construction Stormwater Pollution Prevention Plan and a Temporary Erosion Sediment Control Plan to mitigate potential erosion during construction.

- d. Special care shall be exercised to preserve vegetation in wetland, shoreline and stream corridor bank areas in order to prevent soil erosion. Removal of vegetation from or disturbance of shoreline critical areas and shoreline critical area buffers, and from other critical area and critical area buffers shall be prohibited, except in conformance with Part 20.25H LUC and the specific performance standards of this section.**

No vegetation is proposed for removal.

- e. **Maximum height limitation for any proposed structure within the Shoreline Overlay District shall be 35 feet, except in land use districts with more restrictive height limitations. The method of measuring the maximum height is described in WAC 173-14-030(6). Variances to this height limitation may be granted pursuant to Part 20.30H LUC.**

The proposed pier height is listed as 2 feet 10 inches above OHWM.

- f. **The Bellevue Shoreline Master Program, in conjunction with existing Bellevue land use ordinances and Comprehensive Plan policies, shall guide all land use decisions in the Shoreline Overlay District.**

The proposal is consistent with the Comprehensive Plan Policies that make up the City's Shoreline Master Program and will continue the water dependent use associated with the site.

- g. **Any development within the Shoreline Overlay District shall comply with all applicable Bellevue ordinances, including but not limited to the Bellevue Land Use Code, Sign Code, and clearing and grading regulations.**

The proposal will be required to obtain a Building Permit. Approval and permit issuance will be verification of compliance with applicable regulations.

- h. **The dead storage of watercraft seaward of the ordinary high water mark of the shoreline is prohibited.**

No dead storage of watercraft is proposed.

- i. **Where applicable, state and federal standards for the use of herbicides, pesticides and/or fertilizers shall be met, unless superseded by City of Bellevue ordinances. Use of such substances in the shoreline critical area and shoreline critical area buffer shall comply with the City's "Environmental Best Management Practices."**

No herbicides, pesticides and/or fertilizers are proposed for use.

- j. **Adequate storm drainage and sewer facilities must be operational prior to construction of new development within the Shoreline Overlay District. Storm drainage facilities shall be separated from sewage disposal systems.**

No new development requiring storm or sewer drainage facilities is proposed.

- ii. **The project site is in the Shoreline Overlay District and is subject to the regulations regarding moorage (Land Use Code (LUC) Section 20.25E.080.N.1 and N.5).**

Residential Moorage Development Standards – 20.25E.080.N.1

Standard	Proposal	Complies?
The only structures permitted in the first 30 feet waterward of the ordinary high water mark are piers and ramps. All floats and ells must be at least 30 feet waterward of the OHWM.	No structures are proposed within the first 30 feet waterward of the OHWM. Ell location is approximately 110' from the OHWM.	Y
No skirting is allowed on any structure	No skirting is proposed on the pier walkway or the ell.	Y
Moorage facilities serving only one residential waterfront lot shall not exceed 480 square feet	The proposed pier will be 546 square feet	Y*
Piers shall not exceed four feet wide and shall be fully grated	The proposed pier will be four feet wide and fully grated	Y
Ramps shall not exceed three feet wide and shall be fully grated	No ramp is proposed	Y
Ells are allowed only over water with depths of nine feet or greater at the landward end of the ell	The proposed ell will be located in a depth of approximately 6'-9"	Y*
Ells may be up to six feet wide by 26 feet long with grating over the entire ell	The proposed ell six feet wide by eight feet long with grating over the entire ell	Y
Total Facility Length. In no case may any moorage facility extend more than 150 feet waterward of the ordinary high water mark	The proposed pier is 118 feet long from the OHWM	Y
Structural Piling Specifications. The first (nearest shore) piling shall be steel, four-inch piling and at least 18 feet waterward of the ordinary high water mark. Piling sets beyond the first are not required to be steel, shall be spaced at least 18 feet apart and shall not be greater than 12 inches in diameter. Piles shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds. If ACZA pilings are proposed, the applicant will meet all of the Best Management Practices, including a post-treatment procedure, as outlined in the amended Best Management Practices of the Western Wood Preservers. Steel piles will be installed using approved sound attenuation measures	The first set of structural pilings are proposed to be located approximately 15'-6" from the OHWM and at a size of 8" in order to meet safety standards for the increased moorage length. All other piles will be 8". All piles proposed will be made of steel.	Y*

<p>Shoreline Planting. In order to mitigate the impacts of new or expanded moorage facilities, the applicant shall plant emergent vegetation (if site-appropriate) and a buffer of vegetation a minimum of 10 feet wide along the entire length of the lot immediately landward of ordinary high water mark. Planting shall consist of native shrubs and trees and, when possible, emergent vegetation. At least five native trees will be included in a planting plan containing one or more evergreen trees and two or more trees that like wet roots (e.g., willow species). Such planting shall be monitored for a period of five years consistent with a monitoring plan approved pursuant to LUC 20.25H.210. This subsection is not intended to prevent reasonable access through the shoreline critical area buffer to the shoreline, or to prevent beach use of the shoreline critical area</p>	<p>A shoreline planting plan has been submitted and includes a planting area of approximately 15 feet wide. The planting plan takes into consideration the reduced width of the area adjacent to the OHWM due to the existence of an access easement and the existence of three significant trees located within the shoreline buffer. The proposed planting plan was based on densities and species found in the City's Critical Areas Handbook</p>	<p>Y*</p>
<p>Setback. No private moorage or other structure waterward of the ordinary high water mark, including structures attached thereto, shall be closer than 12 feet to any adjacent property line except when a mutual agreement of adjoining property owners is recorded with the King County Records and Elections Division and the Bellevue City Clerk. Excepted from the requirements of this section are boat lifts or portions of boat lifts which do not exceed 30 inches in height measured from ordinary high water mark</p>	<p>No portion of the pier will be located within 12 of the adjacent property lines.</p>	<p>Y</p>

Boatlift Development Standards – 20.25E.080.N.5

Installation, repair, maintenance, replacement, or retention of one ground-based or floating watercraft lift without a canopy, per adjacent upland property and the placement of no more than two cubic yards of fill to anchor the lift is permitted. Fill must be clean, consist of rock or pre-cast concrete blocks, must only be used to anchor the watercraft lift, and must be the minimum amount to anchor the watercraft lift.

Finding: No fill is proposed for the installation of the boatlift.

C. Critical Areas Ordinance Requirement – LUC 20.25H:

i. Consistency with Critical Areas Report Requirements – LUC 20.25H.230

The applicant supplied a complete Critical Areas Report prepared by Seaborn Pile Driving Co., a qualified professional. The report met the minimum requirements of LUC 20.25H.250.

IV. Public Notice and Comment

Date of Application:	March 16, 2017
Notice of Application:	May 25, 2017
Minimum Comment Period:	June 26, 2017

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin December 22, 2016. It was mailed to property owners within 500 feet of the project site. Staff received one comment prior to the writing of this report.

Summary of Comment:

An access easement has been granted to the property owners of 4639 Lake Washington Blvd SE and the proposal should not impede access or violate the terms of the access agreement.

Response:

No alterations are proposed for the area in which the access easement covers.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

Utilities Department:

The public sewer main shall be shown on all construction plans. The plans shall note that the sewer main is “as located by COB waste water crew” and the date that the location was done.

Construction is not permitted within 5’ of the sewer main or within the easement on the site. All equipment, barges, and anchors must be kept away from the sewer main during construction. **See Conditions of Approval in Section IX of this report**

VI. State Environmental Policy Act (SEPA)

The applicant has provided a complete SEPA checklist supported by detailed analysis for review in demonstrating the no significant adverse environmental impact. Staff has reviewed the plan, the checklist, and supporting documentation and has determined that, for the proposed action, environmental review indicates no probability of significant adverse environmental impacts provided

that applicable city codes and standards are implemented. Therefore, issuance of a Determination of Non-Significance pursuant to WAC 197-11-340 and Bellevue City Code 22.02.034 is appropriate.

A. Earth

The site contains gently rolling slopes of less than 10% grade and Alderwood gravelly sandy loam (AgD) soil. Sandier soils can be found adjacent to the ordinary high water mark (OHWM) and no indications of soil instability were observed. No fill is included in this proposal and erosion control will be regulated by BCC 23.76. See Section IX of this report for Conditions of Approval.

B. Plants

Plant impacts associated with proposal will be limited to non-native grasses that currently exist adjacent to the ordinary high water mark (OHWM). No endangered or threatened plant species were observed on-site. No tree removal is proposed and three (3) mature birch (*Betula spp.*) will be retained on-site. The proposal includes a mitigation plan that proposes installation of 1,030 square feet of native shoreline planting. The proposal incorporates the existing birch trees into the mitigation plan. See Section IX of this report for Conditions of Approval.

C. Animals

Lake Washington is known to contain steelhead salmon (*Oncorhynchus mykiss*), bull trout (*Salvelinus confluentus*), and chinook salmon (*Oncorhynchus tshawytscha*) and is considered a migration route for salmonoids (*Salmonidae*). Work is proposed to occur outside of migration windows, and will replace existing over-water coverage with grated coverage to improve the nearshore habitat. See Section IX of this report for Conditions of Approval.

D. Noise

The site is adjacent to single-family residences whose residents are most sensitive to disturbance from noise during evening, late night and weekend hours when they are likely to be at home. Construction noise will be limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels. See Section IX of this report for Conditions of Approval.

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria 20.30R

The Director of the Development Services Department may approve or approve with modifications if:

- 1. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications; and**

Finding: The applicant has carried the burden of proof and provided evidence sufficient to approve the project.

- 2. The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code; and**

Finding: As identified in Section III of this report the applicant has submitted project plans

and a CAR that demonstrate the proposal's compliance with the applicable City of Bellevue Codes and Standards.

3. The applicant has demonstrated that the proposal is consistent with the policies and procedures of the Shoreline Management Act and the provisions of Chapter 173-14 WAC and the Master Program.

Finding: The applicant's proposal is consistent with the following policies and has demonstrated compliance with the applicable procedures through this application. The subject proposal is compatible with existing and project land uses.

Specifically the proposal is consistent with the following:

RCW 90.58.020 Legislative findings-State policy enunciated-Use preference.

WAC 173-26-176 General policy goals of the act and guidelines for shorelines of the state.

City of Bellevue Comprehensive Plan Policies:

POLICY SH-6 – Consider and encourage the aesthetic values when reviewing development of the shoreline.

POLICY SH-13 – Protect and improve wildlife and aquatic habitats, particularly in spawning waters.

POLICY SH-16 – Discourage structures using materials which have significant adverse physical or chemical effects on water quality, vegetation, fish, and wildlife in or near the water.

B. Critical Areas Report Decision Criteria – LUC 20.25H.255

The Director may approve, or approve with modifications, the proposed modification where the applicant demonstrates:

1. The modifications and performance standards included in the proposal lead to levels of protection of critical area functions and values at least as protective as application of the regulations and standards of this code;

Finding: The modifications and performance standards included in the proposal lead to levels of protection of the shoreline critical area functions and values at least as protective as application of the regulations and standards of this code. The removal of an existing 490 square-foot, solid-decked pier and replacement with a fully grated pier, and the installation of approximately 1,030 of native shoreline planting will result in a net increase in shoreline critical area function. See Section IX of this report for Conditions of Approval.

2. Adequate resources to ensure completion of any required mitigation and monitoring efforts;

Finding: Adequate resources are available to the owner and applicant to complete all mitigation and monitoring efforts. An additional financial surety based on the cost of planting materials,

labor to install, and maintenance and monitoring efforts shall be provided. See Section IX of this report for Conditions of Approval.

3. The modifications and performance standards included in the proposal are not detrimental to the functions and values of critical area and critical area buffers off-site; and

Finding: The modifications and performance standards included in the proposal are not detrimental to the functions and values of the critical area and critical area buffer off-site. The removal of an existing solid-decked pier and replacement with a fully grated pier, and the installation of approximately 1,030 of native shoreline planting will result in a net increase in shoreline critical area function. See Section IX of this report for Conditions of Approval.

4. The resulting development is compatible with other uses and development in the same land use district.

Finding: The development of the shoreline with a residential pier is compatible with other uses in the same land use district within shoreline jurisdiction.

C. Critical Areas Land Use Permit Decision Criteria – LUC 20.30P

The Director may approve or approve with modifications an application for a Critical Areas Land Use Permit if:

1. The proposal obtains all other permits required by the Land Use Code; and

Finding: The proposal will be required to obtain a Building Permit for the construction of the dock. See Section IX of the report for Conditions of Approval.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and

Finding: The proposal has been designed utilizing the best available construction given the challenging site conditions lake bed elevation, and will result in the least impact on the shoreline critical area and shoreline critical area buffer.

3. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and

Finding: As discussed in Section III of this report, the proposal incorporates the performance standards of LUC 20.25E and LUC 20.25H to the maximum extent applicable.

4. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and

Finding: The site is currently served by adequate public facilities and no increased need for such facilities is anticipated.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan; and

Finding: The proposal includes a mitigation plan consistent with the requirements of LUC 20.25H.210 and LUC 20.25E.080.N.1.b.vi.(3). A final plans shall be submitted with the required building permit. See Section IX of this report for Conditions of Approval.

6. The proposal complies with other applicable requirements of this code.

Finding: As discussed in Section III and V of this report, the proposal complies with all other applicable requirement of the Bellevue City Code.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the removal of the existing residential pier, the construction of the new, 546 square foot residential pier, boatlift, and the installation of 1,030 square feet of native shoreline planting. Revision to this approval shall be in accordance with LUC 20.30R.190.

Note- Expiration of Approval: In accordance with LUC 20.30R.175, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a Building Permit and fails to make substantial progress towards completion of the project within two years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.30R.180.

Note- Expiration of Approval: In accordance with LUC 20.30P.150 and the time limits of the Shoreline Substantial Development Permit, the Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Clearing and Grading Permit or other necessary development permits within two years of the effective date of the approval.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190
Utilities Code	Mohamed Sambou 425-452-4853
Land Use Code- BCC 20.25H	David Wong, 425-452-4282
Noise Control- BCC 9.18	David Wong, 425-452-4282

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. **State Permits Required:** Prior to the issuance of the required Building Permit, the applicant

shall produce evidence of receipt of required state permits for the proposed pier and boatlift.

Authority: Land Use Code 20.30R.155
Reviewer: David Wong, Land Use

2. **Construction Stormwater Pollution Prevention Plan:** To ensure federal and state water quality and effluent standards are met, and Shoreline Overlay District comply with the provision of Chapter 23.76 BCC, a Construction Stormwater Pollution Prevention Plan is required to be submitted for review and approval as part of the Building Permit.

Authority: Bellevue City Code 23.76
Reviewer: Janney Gwo, Clearing & Grading

3. **Lake Washington Allowed In-Water Work Windows:** To protect habitat associated with migrating anadromous fish within Lake Washington, the pier replacement approved by this permit shall only be allowed to occur between the following dates:

July 16 – April 30

Any deviation from this approved schedule must be approved in writing from the Washington Department of Fish and Wildlife.

Authority: Land Use Code 20.25H.160
Reviewer: David Wong, Land Use

4. **Noise Control:** Noise related to construction is exempt from the provisions of BCC 9.18 between the hours of 7 am to 6 pm Monday through Friday and 9 am to 6 pm on Saturdays, except for Federal holidays and as further defined by the Bellevue City Code. Noise emanating from construction is prohibited on Sundays or legal holidays unless expanded hours of operation are specifically authorized in advance. Requests for construction hour extension must be done in advance with submittal of a construction noise expanded exempt hours permit.

Authority: Bellevue City Code 9.18
Reviewer: David Wong, Land Use

5. **Sewer Main Location:** The public sewer main shall be shown on all demolition and construction plans. The plans shall note that the sewer main is “as located by COB waste water crew” and the date that the location was done.

Authority: Sanitary Sewer Engineering Standards
Reviewer: Lori Santo, Utilities Department

6. **Construction Setback from Sewer:** Construction is not permitted within 5’ of the sewer main on the site. All equipment, barges, and anchors must be kept away from the sewer main during construction.

Authority: Sanitary Sewer Engineering Standards
Reviewer: Lori Santo, Utilities

7. **Mitigation Plan:** A mitigation plan consistent with the conceptual mitigation plan that has been

provided with this application is required to be submitted with the Building Permit or any other development permits associated with this approval. The plan shall include at least 1,030 square feet of native shoreline vegetation that is consistent with the City's Critical Areas Handbook.

Authority: Land Use Code 20.25H.220
Reviewer: David Wong, Land Use

8. **Maintenance & Monitoring:** A maintenance and monitoring plan for the period of not less than five years shall be submitted with the Building Permit or any other development permits associated with this approval. Monitoring reports detailing plant survival, replacement, and photographic evidence shall be submitted at the end of each growing season following installation or by October 31st. Reports can be sent to David Wong at dwong@bellevuewa.gov or the address below:

Environmental Planning Manager
Development Services
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.25E.080, 20.25H.220
Reviewer: David Wong, Land Use

9. **Cost Estimate:** A cost estimate detailing the cost of the plant material, labor, and maintenance & monitoring for the period of five years shall be submitted with the Building Permit.

Authority: Land Use Code 20.25H.220, 20.40.490
Reviewer: David Wong, Land Use

10. **Assurance Device:** Financial surety equal to 100% of the plant materials and labor cost or 20% of the maintenance & monitoring costs for five years shall be submitted with the Building Permit. Release of the financial surety is subject to a Land Use inspection and a review of the mitigation plan and maintenance & monitoring plan.

Authority: Land Use Code 20.25H.220, 20.40.490
Reviewer: David Wong, Land Use

11. **Land Use Inspection:** To ensure the pier, boatlift, and mitigation planting have been installed in accordance with approved plans (see Attachment A) the applicant must call for and obtain an inspection from a Land Use Planner from the City of Bellevue, following installation of approved improvements. This inspection is listed as a #600 land use inspection on the approved Building Permit or Clearing & Grading Permit.

Authority: Land Use Code 20.25E.080.B
Reviewer: David Wong, Land Use



PIN: 1724059020

LEGAL DESCRIPTION:
COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 5 AND RUNNING THENCE N 88°36'12" W, ALONG THE SOUTH LINE THEREOF A DISTANCE OF 857.79 FEET; THENCE N 01°23'48" E, A DISTANCE OF 59.16 FEET; THENCE N 24°20'37" E, A DISTANCE OF 82.63 FEET; THENCE N 20°13'54" E, A DISTANCE OF 127.25 FEET, THENCE N 89°2'28" W, A DISTANCE OF 149.54 FEET AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING N 89°12'28" W, A DISTANCE OF 114.89 FEET; THENCE N 21°54'32" E, A DISTANCE OF 103.82 FEET; THENCE S 88°39'28" E, A DISTANCE OF 252.65 FEET; THENCE S 15°57'57" W, A DISTANCE OF 25.84 FEET; THENCE N 88°39'28" W, A DISTANCE OF 167.64 FEET; THENCE S 01°23'48" W, A DISTANCE OF 71.10 FEET AND THE TRUE POINT OF BEGINNING; TOGETHER WITH SECOND CLASS SHORELANDS ADJACENT TO AND ABUTTING THEREON.

PURPOSE: The proposed dock is to provide for safe boat moorage for the owner's larger personal boat.

DATUM: CORPS OF ENGINEERS 1919
NW QUARTER OF SECTION 08, TOWNSHIP 24, RANGE 05
ADJACENT OWNERS:
PAUL V & BETTY HAACK
4627 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006
JON JAMIESON
4643 LAKE WASHINGTON BLVD SE
BELLEVUE, WA 98006



SEABORN
PILE DRIVING COMPANY

PREPARED BY:
TED BURNS OF SEABORN PILE DRIVING
9311 SE 36TH ST, SUITE 204
MERCER ISLAND, WA 98040
OFFICE: 206-236-1700
TEDEBURNS@YAHOO.COM
WWW.SEABORNPILEDIVING.COM

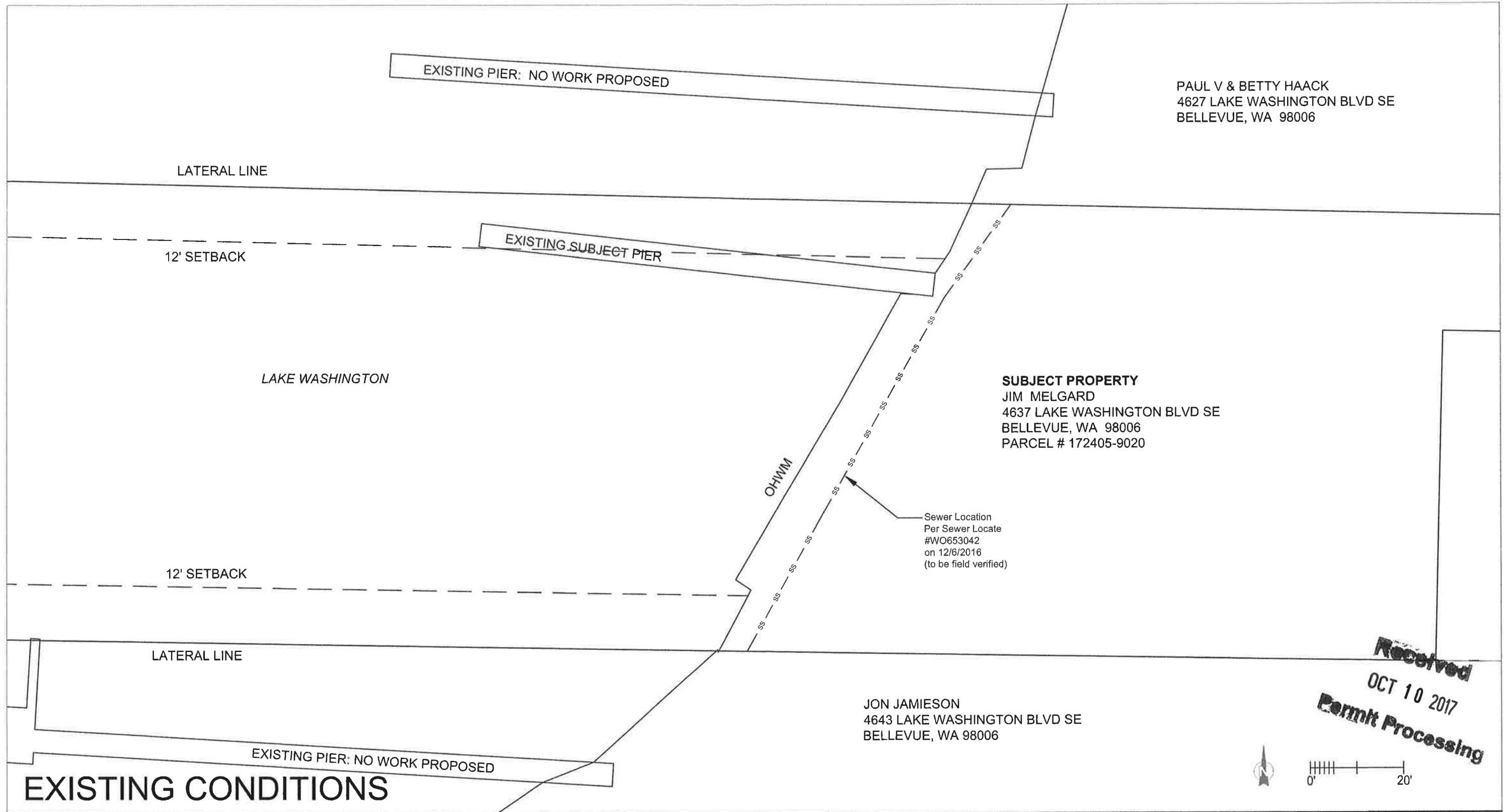
PROPOSED: Remove the existing 100' long by 4' wide dock and sixteen wood piles and construct a new pier consisting of a 120' long by 4' wide walkway and a 12' long by 4' wide ELL supported by fourteen 8" steel piles. Install a ground based boatlift. Implement a shoreline planting plan.

IN: LAKE WASHINGTON
AT: 4637 Lake Washington Blvd SE, Bellevue, WA. 98006
COUNTY: KING
LAT: 47.561135, LONG: -122.189750
CREATED: 12/16/2016; REVISED: 08/30/2017

OWNER:
JIM MELGARD
6518 156th AVE SE
BELLEVUE, WA 98006

SHEET
1.0

Received
OCT 10 2017
Permit Processing



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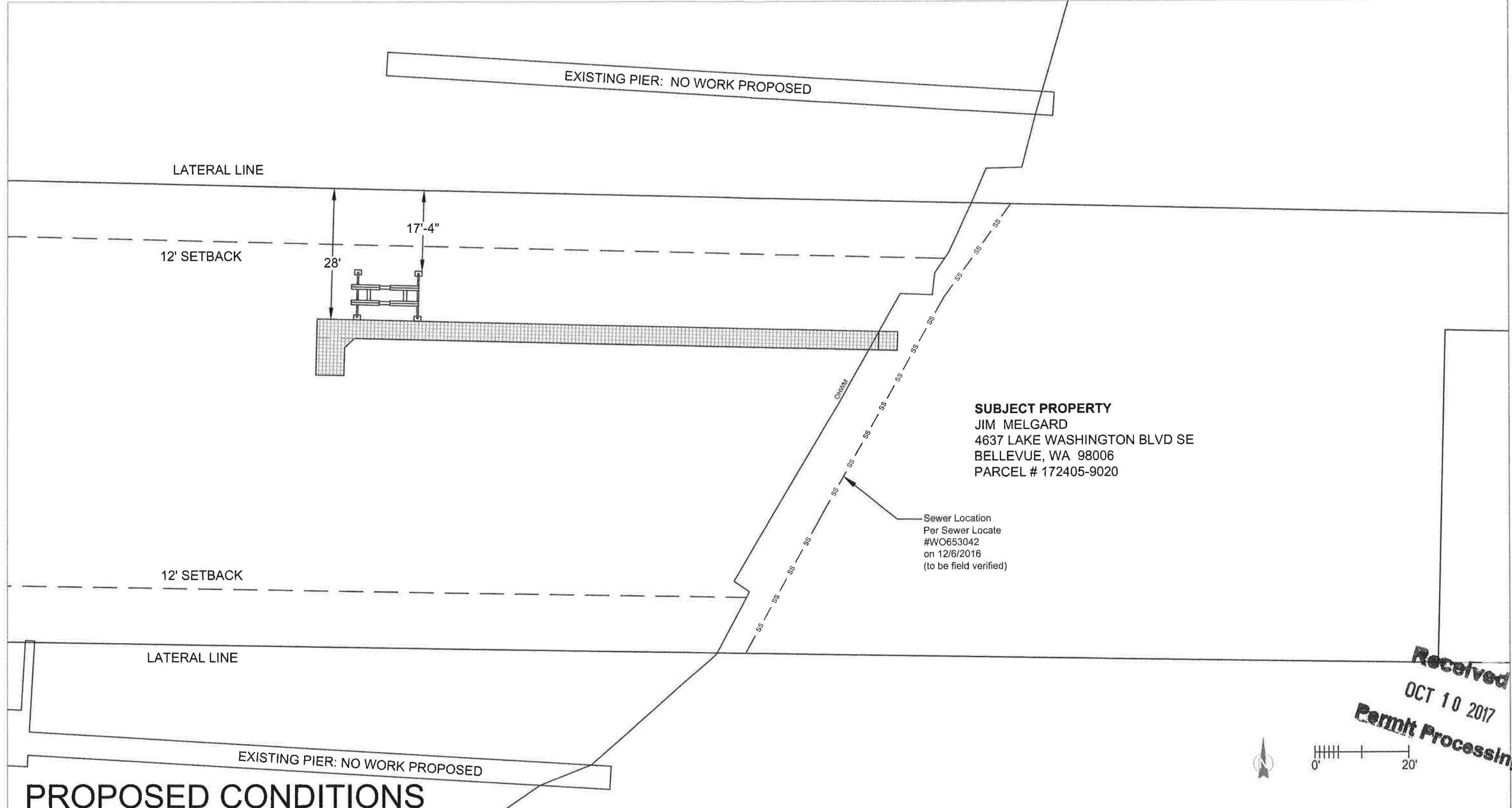

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PROPOSED CONDITIONS

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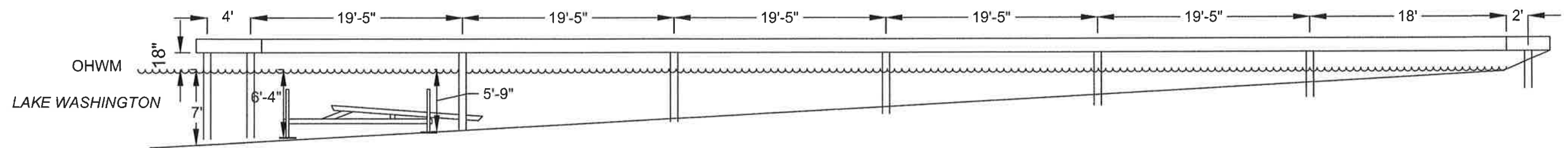
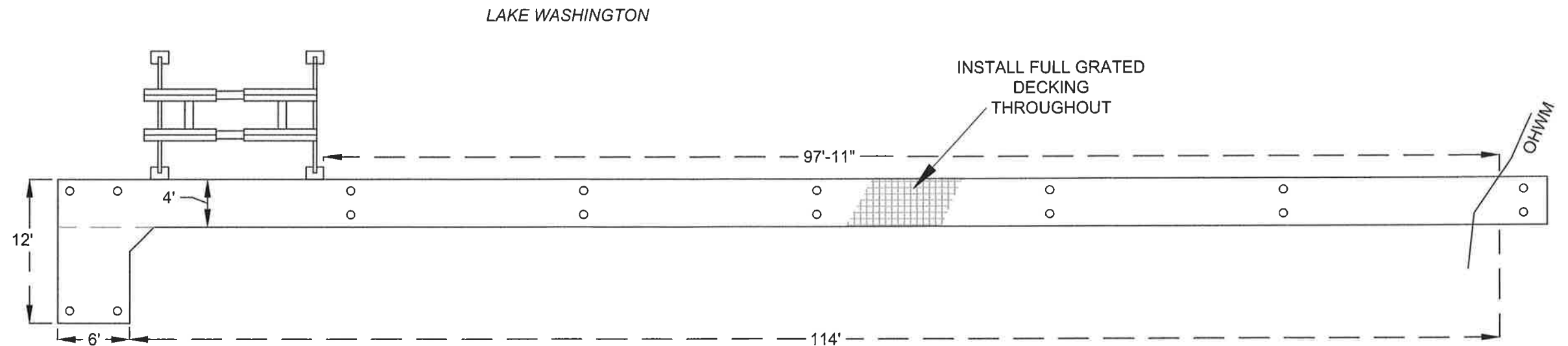

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**SHEET
3.0**



PROPOSED CONDITIONS



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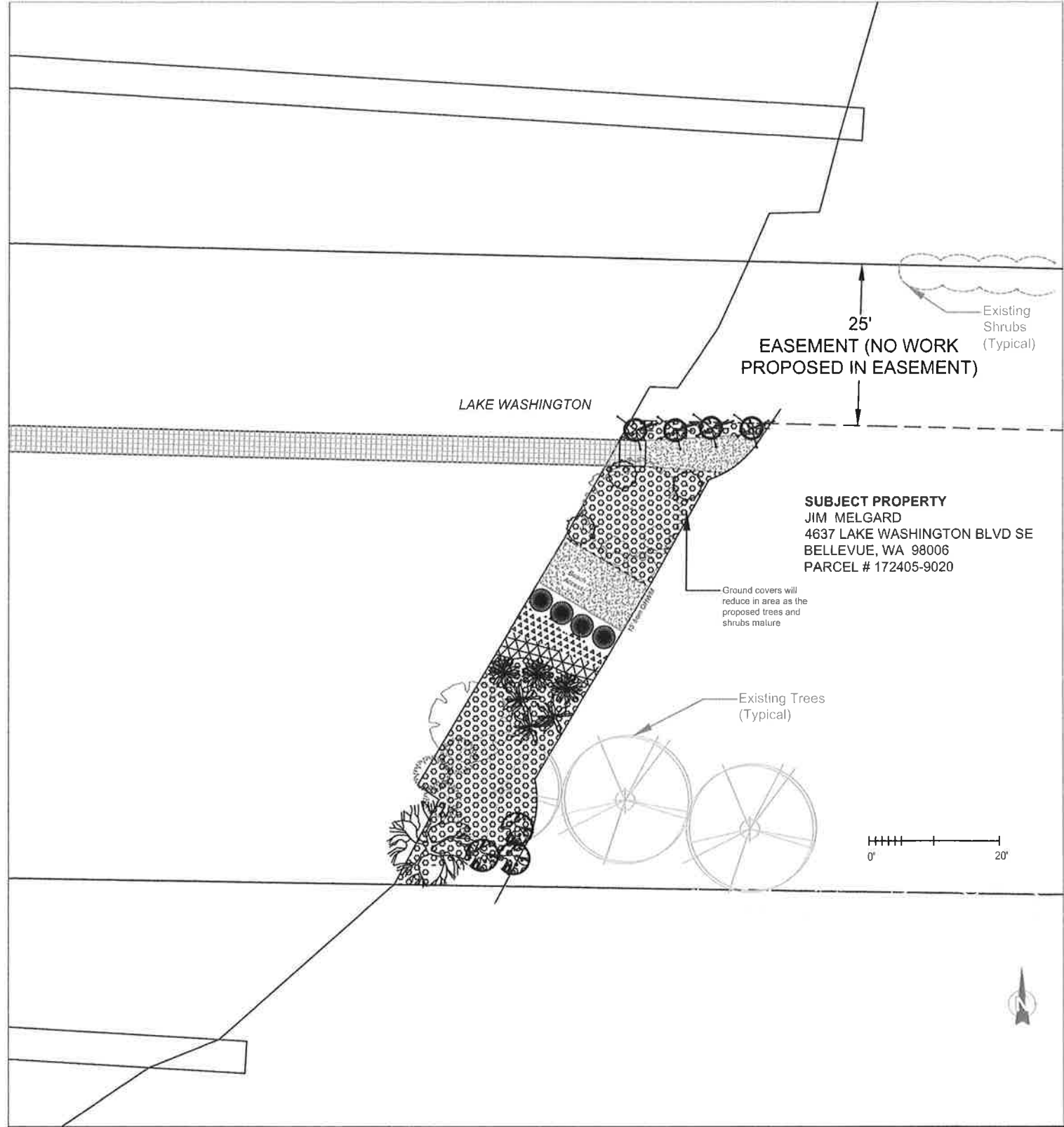
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SHEET
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PROPOSED PLANTING SPECIES/QUANTITIES

SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Pinus contorta v. contorta	Shore pine	1	3 ft
	Thuja Plicata	Western red cedar	1	3 ft
	Acer circinatum	Vine Maple	1	3 ft
	Philadelphus	Mock Orange	4	1 Gallon
	Cornus sericea (alba, stolonifera)	Red osier dogwood	3	1 Gallon
	Oemleria cerasiformis	Osoberry	3	1 Gallon
	Holodiscus discolor	Ocean spray	4	1 Gallon
	Lupinus polyphyllus	Large leaf lupine	10	4" Pot
	Gaillardia	Blanket flower	15	4" Pot
	Glyceria borealis	Northern mannagrass	288	4" Pot
	Rubus spectabilis	Salmonberry	3	1 Gallon
	Vaccinium ovatum	Evergreen Huckelberry	3	1 Gallon
	Rosa nutkana	Nootka rose	3	1 Gallon
	Rhododendron dora amateis	White Dwarf Rhododendron	3	1 Gallon

PROPOSED PLANTING PLAN

PURPOSE: The proposed dock is to provide for safe boat moorage for the owner's larger personal boat.

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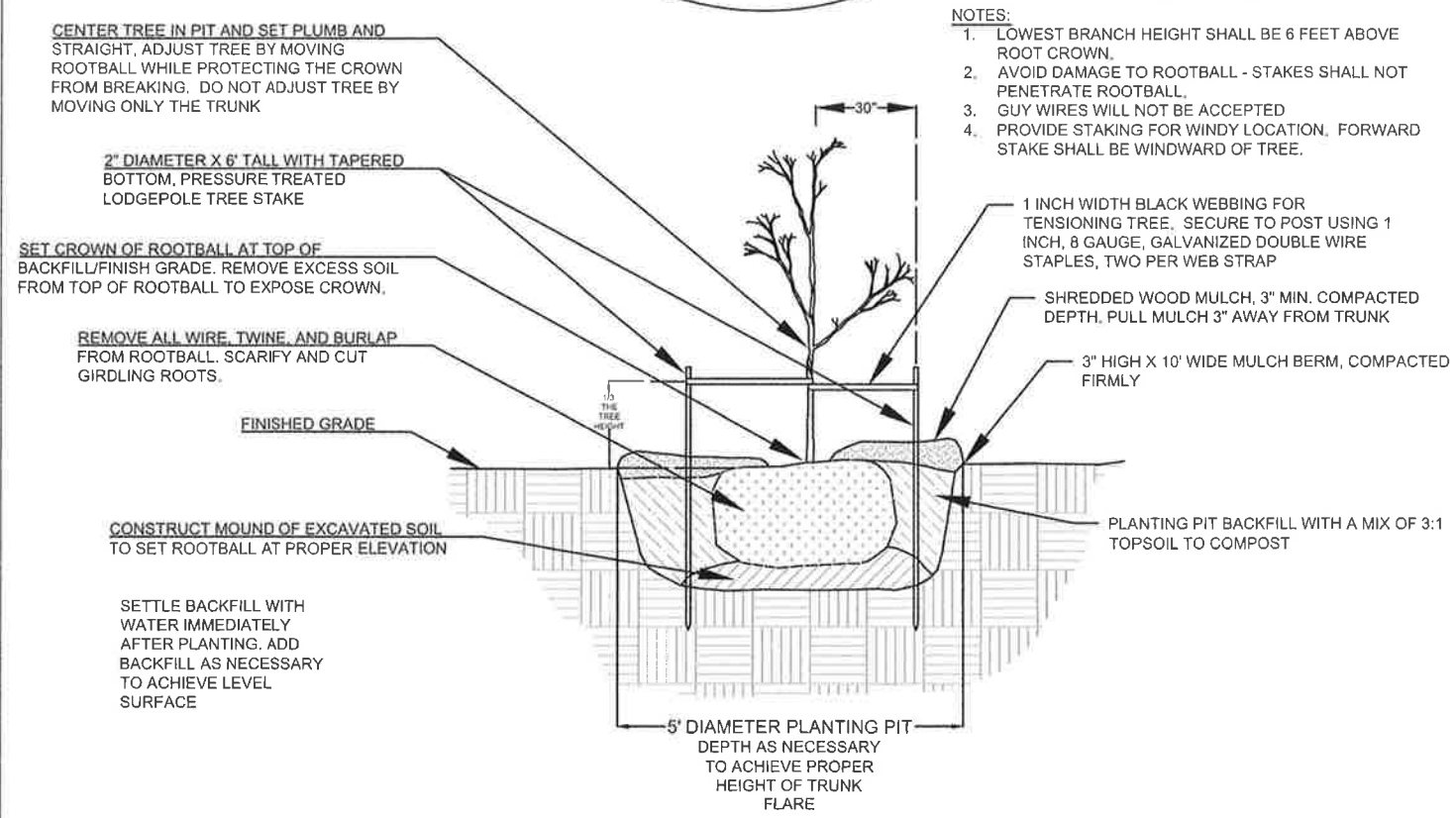
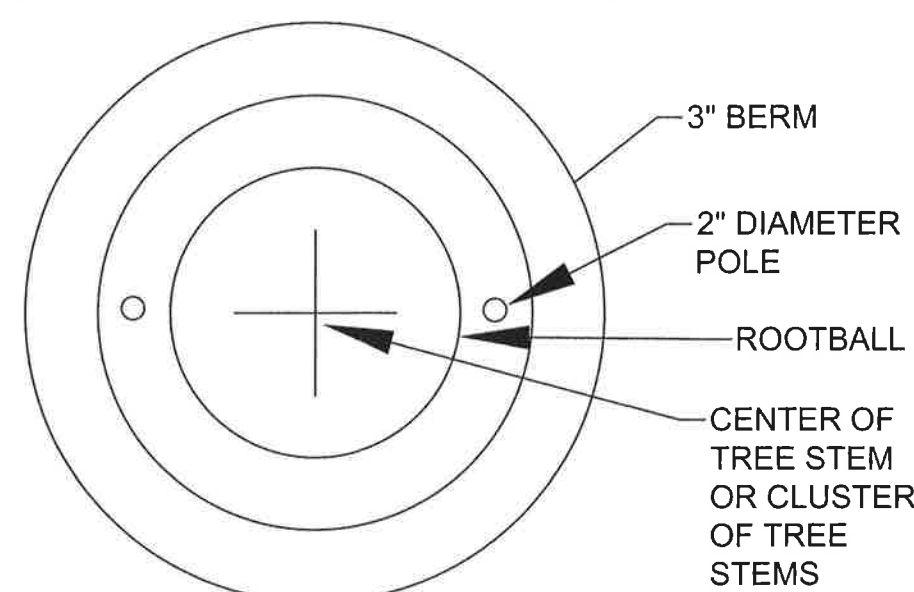
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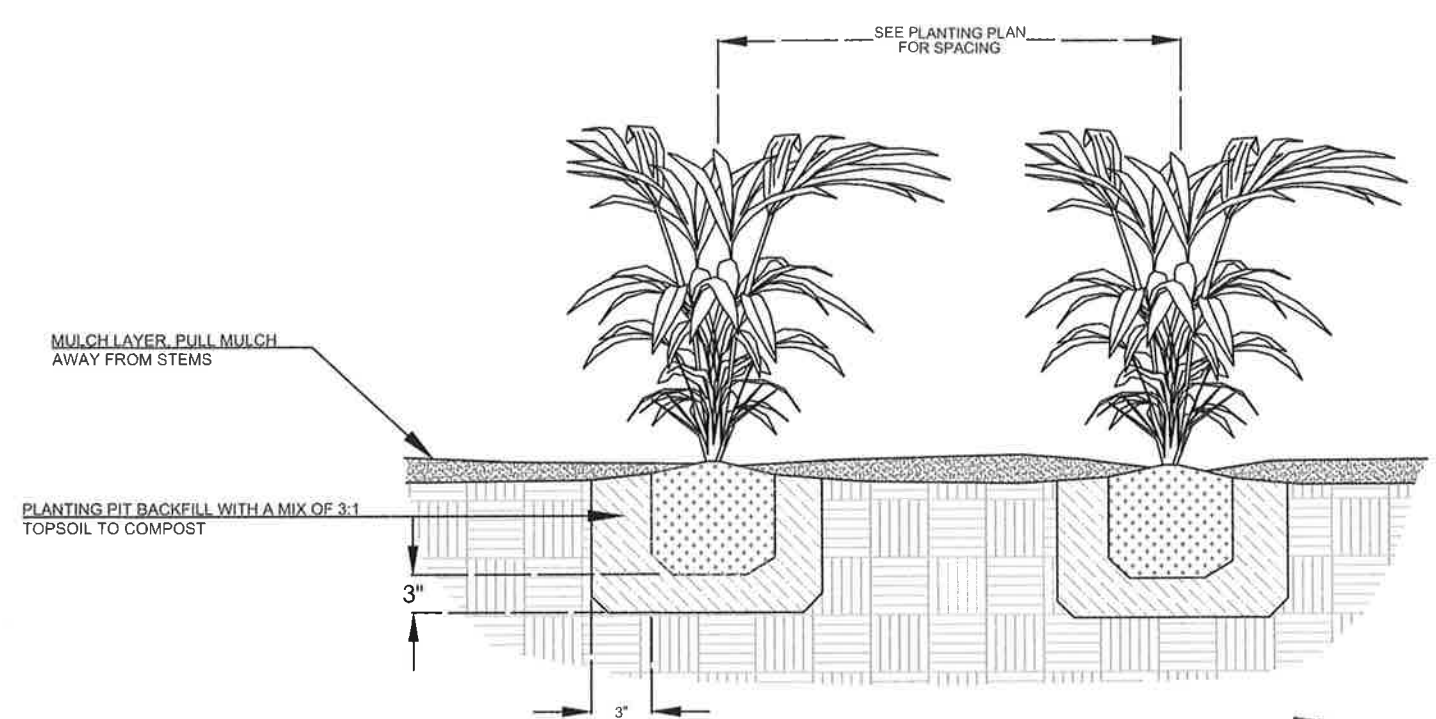
PREVAILING WIND



TREE PLANTING DETAILS (NTS)

NOTES:

1. INSTALLATION SHALL INCLUDE LOOSENING SIDES AND BOTTOM OF PLANTING PIT AND REMOVE DEBRIS
3. THE PIT SHALL BE SOAKED WITH WATER PRIOR TO, AND SUBSEQUENT TO, INSTALLATION
4. PRIOR TO INSTALLATION, LOOSENING OF PLAT ROOTBALLS SHALL OCCUR



SHRUB AND GROUNDCOVER PLANTING DETAILS (NTS)

PLANTING DETAILS

<p>PURPOSE: The proposed dock is to provide for safe boat moorage for the owner's larger personal boat.</p>	<p>PREPARED BY:  SEABORN PILE DRIVING COMPANY</p> <p>TED BURNS OF SEABORN PILE DRIVING 9311 SE 36TH ST, SUITE 204 MERCER ISLAND, WA 98040 OFFICE: 206-236-1700 TEDEBURNS@YAHOO.COM WWW.SEABORNPILEDIVING.COM</p>		<p>PROPOSED: Remove the existing 100' long by 4' wide dock and sixteen wood piles and construct a new pier consisting of a 120' long by 4' wide walkway and a 12' long by 6' wide ELL supported by fourteen 8" steel piles. Install a ground based boatlift. Implement a shoreline planting plan.</p>
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			<p>SHEET 5.1</p>